

Message Text

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PAGE 01 STATE 101613
ORIGIN EB-07

INFO OCT-01 EUR-12 ISO-00 CAB-02 CIAE-00 COME-00
DODE-00 DOTE-00 INR-07 NSAE-00 EPG-02 FAA-00 L-03
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DRAFTED BY EB/AN:JBMAGNOR:BA
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CAB:ALARGAY (INFO)
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-----042343Z 004467 /70

P 042126Z MAY 77
FM SECSTATE WASHDC
TO AMEMBASSY LONDON PRIORITY

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E.O. 11652: N/A

TAGS: EAIR, UK

SUBJECT: CIVAIR: UK CHARGES AGAINST SWA FOR ALLEGED
VIOLATIONS OF UK OPERATING AUTHORITY

1. SEABOARD WORLD AIRLINES' WASHINGTON COUNSEL HAS TOLD
US OF PENDING CHARGES TO BE BROUGHT AGAINST THE AIRLINE
AND ITS UK MANAGER FOSS GROWING OUT OF 21 MAC FLIGHTS
OPERATED TO PRESTWICK BETWEEN FEBRUARY 1975 AND APRIL 1976.
WE UNDERSTAND FOSS HAS BRIEFED RCAA AND DATT.

2. OUR UNDERSTANDING OF SITUATION, BRIEFLY, IS AS FOLLOWS:
IN JULY 1976, UK DOT INFORMED SEABOARD IT HAD NOT APPLIED
FOR REQUIRED INDIVIDUAL PERMISSION TO OPERATE THE PRESTWICK
MAC FLIGHTS, AND SEABOARD REPLIED CONTRITELY THAT IT WOULD
DO SO IN FUTURE. IN MARCH 1977, UK CAA DEPUTY CHIEF
INSPECTOR ADVISED FOSS THAT SEABOARD WOULD BE FORMALLY
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CHARGED WITH VIOLATIONS OF ITS OPERATING PERMIT BECAUSE
OF THE PRESTWICK FLIGHTS AND THAT IT WOULD BE SERVED A
SUMMONS IN DUE COURSE. AT THIS POINT FOSS CONTACTED LOCAL
ATTORNEYS WHO MADE APPROACHES TO LEGAL AUTHORITIES IN
SCOTLAND. EARLIER THIS WEEK, CHIEF INSPECTOR OF AYRSHIRE,
SCOTLAND POLICE FORMALLY CHARGED FOSS AS SEABOARD'S UK
REPRESENTATIVE IN PRESENCE OF SEABOARD ATTORNEY WITH

INFRACTIONS OF OPERATING PERMIT. CHIEF INSPECTOR SAID THAT

SUMMONS WOULD BE SERVED WITHIN NEXT FOUR WEEKS. FINALLY,
WE UNDERSTAND SEABOARD UK ATTORNEYS BELIEVE THREATENED
ACTIONS AGAINST THE AIRLINE ARE LEGALLY CHALLENGEABLE
UNDER AIR NAVIATION ACT.

3. ACTION REQUESTED: A) EMBASSY REPORT OF CIRCUMSTANCES
SURROUNDING BRITISH CHARGES TO EXTENT THEY MAY DIFFER
FROM OUR UNDERSTANDING OF SITUATION (WITH PARTICULAR
EMPHASIS ON LEGAL MERITS OF BRITISH ASSERTIONS); AND
B) EMBASSY RECOMMENDATIONS AS TO POSSIBLE EMBASSY/
DEPARTMENT APPROACHES TO BRITISH.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SUPPLEMENTAL AIRLINES, COURT PROCEEDINGS
Control Number: n/a
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Sent Date: 04-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Drafter: JBMAGNOR:BA
Enclosure: n/a
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Film Number: D770157-0082
Format: TEL
From: STATE
Handling Restrictions: n/a
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Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Page Count: 2
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Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
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Retention: 0
Review Action: RELEASED, APPROVED
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Review Media Identifier:
Review Release Date: n/a
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Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2639624
Secure: OPEN
Status: NATIVE
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